

Remarks

Claim 11 has been amended and is the only claim remaining in the application.

Claim 11 calls for a plurality of spaced apart footings and a plurality of columns. A column support supports the columns on the footings and a roof structure is supported on the columns. The roof structure has a flat, generally horizontal, upwardly facing surface surrounded by a border frame. The upwardly facing surface and border frame define a pool. Water fills the pool to a depth of approximately one inch or more.

Further in accordance with amended claim 11, the column support for each column comprises a vertically adjustable column-supporting leveling plate above each footing. A plurality of bolts have lower portions embedded in, and vertical upper portions projecting above, each of the footings. First nuts are threaded on the upper portions of the bolts, the leveling plates are supported on the first nuts, a base plate at the bottom of each column is supported on each of the leveling plates, and second nuts threaded on the upper portions of the bolts clamp the base plates down on the leveling plates and the leveling plates down on the first nuts. The roof structure is capable of adjustment to make the upwardly facing surface of the roof structure horizontal by vertical adjustment of the columns. Vertical adjustment of the columns can be accomplished by vertical adjustment of the leveling plates which is effected by vertical adjustment of the first nuts.

Further in accordance with claim 11, each of the footings has a lower portion embedded in a sub-floor and an upper portion embedded in a finished floor extending over the sub-floor.

Bourne discloses a reservoir 24 for containing liquid. However, as noted by the Examiner, Bourne does not disclose using a plurality of spaced apart columns

disposed on respective footings with column supports, wherein each column support comprises a vertically adjustable leveling plate, a plurality of anchor bolts embedded in concrete, and two sets of nuts, all arranged so that adjusting the columns also levels the roof surface.

Randa discloses a manufactured building having a plurality of spaced apart footings and a plurality of columns supported on the footings. The columns run to the top of the first story exterior wall and to the underside of the peak of the roof. However, there is nothing in this patent to suggest adjusting the length or height of a column nor is there a suggestion of a intention to level a roof structure containing a pool of water by vertical adjustment of the columns.

Macklin discloses a slab 12 for supporting a column by means of anchor bolt assemblies 14. The column has a base plate 16. The base plate is supported on anchor bolts 20 by upper and lower lock nuts 22. Macklin fails to disclose any equivalent of applicant's leveling plate. Note that applicant has a base plate 50 at the bottom of each column, similar to Macklin, but applicant also has a leveling plate 44 for supporting the column base plate. In accordance with applicant's construction, it is possible to level and vertically adjust the leveling plate 44 before the column base plate 50 is placed on the leveling plate. This initial adjustment is highly desirable because it is very difficult if not impossible to make the adjustment after the column is placed on the anchor bolt assembly.

To further distinguish from the references, applicant has now limited the building structure by stating that each of the footings has a lower portion embedded in a sub-floor and an upper portion embedded in a finished floor extending over the sub-floor. These added limitations serve to further distinguish from the prior art.

The rejection is based on a combination of three references, with nothing in the prior art to suggest the combination of these references. Applicant has pointed this out in the previous amendment. It is submitted that there is no teaching reference for combining Macklin with Randa and further that there is no teaching reference for combining the thus modified Randa with Bourne. Accordingly, and because of the further limitations added to claim 11, it is submitted that claim 11 is entitled to allowance.

In view of the foregoing, this application is now believed to be in condition for allowance and such action is most respectfully requested.

The Commissioner is hereby authorized to charge any deficiencies, or credit any overpayment associated with this communication to our Deposit Account No. 50-0852.

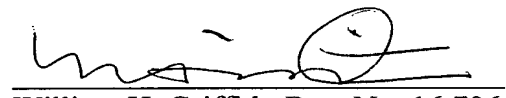
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on March 17, 2004.


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Respectfully submitted,

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